

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of )  
 )  
Carriage of the Transmissions ) CS Docket No. 98-120  
of Digital Television Broadcast Stations )  
 )  
Amendments to Part 76 )  
of the Commission's Rules )

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**COMMENTS OF MORGAN MURPHY STATIONS  
AND COSMOS BROADCASTING CORPORATION**

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## SUMMARY

In order to ensure the successful introduction of digital broadcast television and the rapid recovery of the vacated broadcast spectrum, the Commission must adopt digital must carry rules that are applicable during the DTV transition period. The following proposed rules are consistent with Congressional intent and would survive constitutional scrutiny since they advance the important government interests of preserving free over-the-air television and promoting widespread dissemination of information and competition:

- **Non Degradation:** The Commission should adopt a strict non-degradation principle that prohibits cable operators from passing through their systems anything less than the full 19.28 megabits per second (Mbps) bitstream sent by broadcasters.
- **One-Third Capacity:** The current one-third capacity limit on carriage of local TV signals should be maintained, however, the increased capacity inherent in digital cable systems must be considered in determining capacity.
- **Exemption/Waiver Policy:** The Commission should adopt a small cable system exception as well as waiver provisions for channel-locked, non-upgraded cable systems of less than 750 MHz.
- **Compatibility:** The FCC must ensure that minimum standards are set to ensure compatibility between DTV sets, set-top boxes and cable systems.
- **Carriage of All Free Programming:** All non-subscription programming transmitted by broadcasters should be carried by cable operators including information services.
- **Channel Placement/Positioning:** DTV signals must be placed in the cable system's basic tier in order to ensure that all cable subscribers will receive DTV signals. Also, to

eliminate viewer confusion in locating broadcast channels, cable operators should be required to utilize an appropriate channel mapping protocol that pairs a station's DTV channel with its existing analog channel.

- **Separate Must Carry/Retransmission Consent:** A separate and independent retransmission consent/must carry election should apply to the digital and analog signals. However, in the event a broadcaster elects a multicasting format for its DTV signal, the retransmission/must carry election should apply to the entire digital signal rather than allowing a broadcaster to choose separately for each programming stream.

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**COMMENTS**

Morgan Murphy Stations and Cosmos Broadcasting Corporation<sup>1</sup> ("Morgan Murphy and Cosmos Broadcasting"), by their attorneys, hereby file joint Comments in response to the *Notice of Proposed Rulemaking* ("*NPRM*") in the above-referenced proceeding.

**I. Introduction**

Morgan Murphy and Cosmos Broadcasting are actively investing in the digital future and are poised to meet the challenging DTV conversion timetable established by the FCC and Congress for their television stations. However, despite their best efforts, broadcasters alone cannot ensure a successful DTV conversion. Morgan Murphy and Cosmos Broadcasting therefore join together in this proceeding to urge the FCC to adopt digital must carry rules in order to speed

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<sup>1</sup> Morgan Murphy Stations, through its FCC-licensed subsidiaries operates KXLY-TV Spokane, Washington; KAPP-TV Yakima, Washington; KVEW-TV Kennewick, Washington; and WISC-TV Madison, Wisconsin. Cosmos Broadcasting Corporation directly or indirectly is the licensee of WSFA-TV Montgomery, AL; KAIT-TV Jonesboro, AR; WALB-TV Albany, GA; WFIE-TV Evansville, IN; WAVE-TV Louisville, KY; KPLC-TV Lake Charles, LA; WLOX-TV Biloxi, MS; WTOL-TV Toledo, OH; and WIS(TV) Columbia, SC.

the transition from analog to digital television for the benefit of the public and ensure that the transition occurs within the prescribed timeline.

The Commission's stated goals throughout the DTV proceeding have been the successful introduction of digital broadcast television and the subsequent recovery of the vacated broadcast spectrum.<sup>2</sup> These same goals should drive this digital must carry proceeding. In order to fulfil these goals, digital must carry must apply during the DTV transition period.

Fortunately, in adopting digital must carry rules, the Commission is not beginning with a blank slate. Rather, it has many years of deliberation regarding must carry generally to draw upon, not only at the Commission, but also in Congress and at the Supreme Court. Accordingly, Morgan Murphy and Cosmos Broadcasting believe that in adopting digital must carry rules, the FCC should, to the extent possible, maintain the current regulatory framework which has been successful in ensuring the continued availability of free-over-the-air television through the imposition of a reasonable signal carriage requirement on cable operators.

## **II. Legal Foundation**

The imposition of reasonable digital must carry obligations on cable operators during the DTV transition is consistent with Congressional intent in adopting the must carry/retransmission consent scheme set forth in the Cable Television Consumer Protection and Competition Act of

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<sup>2</sup> See *In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, Fifth Report and Order*, MM Docket 87-268, 12 FCC Rcd. 12809 ¶97 (rel. April 21, 1997) ("*Fifth Report and Order*").

1992.<sup>3</sup> Moreover, as explained below, based on the Supreme Court's recent affirmation of the 1992 Cable Act's must carry provisions, a reasonable digital signal carriage requirement during the DTV transition would survive constitutional scrutiny.

**A. Digital Must Carry During the DTV Transition is Consistent With Congressional Intent**

In the 1992 Cable Act, Congress explicitly directed the FCC to conduct a rulemaking to ensure cable carriage of digital broadcast signals. Section 614(b)(4)(B) of the Act states:

At such time as the Commission prescribes modifications of the standards for television broadcast signals, the Commission shall initiate a proceeding to establish any changes in the signal carriage requirements of cable television systems necessary to ensure cable carriage of such broadcast signals of local commercial television stations which have been changed to conform with such modified standards.<sup>4</sup>

The time has long past since the FCC established the digital broadcast standard and in fact 41 television stations will begin their digital television broadcasts next month.<sup>5</sup> Thus, based on the plain meaning of the Act, the FCC is now directed to adopt rules to ensure that cable operators carry those digital signals during the DTV transition. There is nothing ambiguous about Section 614(b)(4)(B); nowhere did Congress indicate, as some have argued, that these rules should only

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<sup>3</sup> Pub. L. No. 102-385, 106 Stat. 1460, codified at 47 U.S.C. §521 *et seq.* ("1992 Cable Act"). These rules are organized in Sections 614 (commercial mandatory carriage), 615 (noncommercial educational mandatory carriage) and 325 (retransmission consent) of the Communications Act of 1934, as amended ("*the Act*").

<sup>4</sup> 47 U.S.C. §534(b)(4)(B).

<sup>5</sup> See Statement by Chairman Kennard on the Digital Television Transition, October 6, 1998.

take effect at the end of the DTV transition period.

In this regard, it is significant that a full six months prior to the October 5, 1992 enactment date of the 1992 Cable Act, the FCC released its *Second Report and Order* in the digital proceeding in which it proposed a 15-year DTV transition.<sup>6</sup> It is simply illogical to suggest that Congress would direct the FCC to promulgate a digital signal carriage rule which would not take effect for a full 15 years without any mention, either in the 1992 Cable Act or its legislative history, that the digital signal obligation would only take effect at the end of the 15-year transition. Clearly Congress intended for the FCC to adopt a digital signal carriage requirement to take effect *at the time* it adopted a technical standard for digital television.

**B. Digital Must Carry During the DTV Transition is Necessary to Further the Goals of Congress**

In the Balanced Budget Act of 1997 Congress codified the December 31, 2006 give-back date for the vacated analog broadcast spectrum previously established by the Commission.<sup>7</sup> The only way to meet Congress' and the Commission's goal of a 2006 give back date is through the full cooperation of the cable industry in ensuring that its subscribers are capable of receiving the DTV signals. The Commission is correct in concluding that the cable industry's participation is

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<sup>6</sup> See *In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, Second Report and Order Further Notice of Proposed Rulemaking*, MM Docket No. 87-268, 7 FCC Rcd. 3340 at ¶53 (rel. May 8, 1992).

<sup>7</sup> Pub. L. No. 105-33, 11 Stat. 251 (1997) relevant portion codified at 47 U.S.C. §309(j)(14)(B). The Balanced Budget Act, codifies the 2006 give-back date with a provision that if DTV penetration has not reached a level of 85% in a given market, the give-back date would be delayed until this level is reached.



essential to the successful introduction of DTV and the rapid give-back of the analog spectrum.<sup>8</sup>

Currently, nearly 70% of all television viewers in the U.S. receive their television signals through cable.<sup>9</sup> It has been established that once viewers connect their television sets to a cable system, they no longer maintain the capability to receive an over-the-air signal.<sup>10</sup> Thus, in response to the Commission's inquiry as to the viability of the A/B switch to ensure that cable subscribers receive DTV signals,<sup>11</sup> both the FCC and Congress have concluded that an A/B switch is "not an enduring or feasible method of distribution and is not in the public interest."<sup>12</sup>

Likewise, retransmission consent agreements would not ensure carriage of digital signals.<sup>13</sup> Particularly in the early years of the DTV transition, there is little economic incentive for cable operators to carry digital signals through retransmission agreements. In fact, in enacting the 1992 Cable Act, Congress recognized that despite the fact that local broadcast programming remains the most widely viewed programming on cable systems, cable operators have a strong incentive to prevent their subscribers from receiving local broadcast signals since they directly compete with local broadcasters for advertising revenues.<sup>14</sup> Those tendencies will only be exacerbated in the

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<sup>8</sup> *NPRM* at ¶14.

<sup>9</sup> See *Fourth Annual Assessment of the Status of Competition in Markets for the Delivery of Video Programming*, CS Docket No. 97-141, 13 FCC Rcd. 1034, at ¶14 (rel. January 13, 1998) ("*Fourth Annual Report*").

<sup>10</sup> S.Rep. No. 102-92, 102d Cong., 1<sup>st</sup> Sess. 45 (1991)

<sup>11</sup> *NPRM* at ¶¶16 and 87.

<sup>12</sup> 1992 Cable Act, §2(a)(18).

<sup>13</sup> See *NPRM* at ¶33.

<sup>14</sup> 1992 Cable Act, §2(a)(15) and (19).

context of digital television, particularly in the early transition years when the programming supply will be limited and viewers will be scarce. It is therefore folly to suggest that retransmission consent agreements can be relied upon to ensure that cable operators will carry DTV signals.

Simply stated, if 70% of the U.S. television households are not able to receive a digital signal through their cable system, it is inconceivable that an 85% penetration level will be achieved by December 31, 2006 in any market. Especially in the early years of the transition, the DTV marketplace will be supply driven. Thus, in order to meet the 2006 spectrum give-back target, the FCC must create incentives for consumers to become early DTV adopters. A lack of a signal carriage requirement will create a market disincentive and thwart the goals of Congress and the FCC for a rapid DTV transition and return of the analog spectrum.

**C. A Reasonable Digital Must Carry Requirement During the DTV Transition Is Constitutional**

Any digital must carry rules adopted by the Commission must withstand the intermediate level of constitutional scrutiny articulated by the Supreme Court in *Turner Broadcasting System, Inc. v. FCC*.<sup>15</sup> Under this test, a content neutral regulation will be sustained if it furthers an important government interest that is unrelated to the suppression of free speech, and the incidental restriction on First Amendment freedoms is no greater than necessary to further that

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<sup>15</sup> *Turner Broadcasting System, Inc. v. FCC*, 117 S. Ct. 1174 (1997) ("*Turner II*"). In *Turner II* the Court found the must carry provisions of the 1992 Cable Act to be content neutral and thus subject to the intermediate scrutiny standard.

interest.<sup>16</sup>

The Court upheld three important government interests attendant to must carry, namely: (1) preserving free over-the-air local broadcast television; (2) promoting widespread dissemination of information from a variety of sources; and (3) promoting fair competition in the television programming market.<sup>17</sup>

The expeditious nationwide conversion to digital television through mandatory signal carriage rules directly advances these important government interests. As the Commission previously determined, the conversion to DTV promotes and preserves free, universally available, local broadcast television in a digital world.<sup>18</sup> In fact, it is only through the widespread acceptance of DTV that the American people "can be assured of the preservation of broadcast television's unique benefit: free, widely accessible programming that serves the public interest."<sup>19</sup> Further, given the intense competition in the delivery of video programming to the home and the move by other video programming providers, including cable and DBS, to adopt digital technology, the Commission found it important "to encourage broadcasters to offer digital television as soon as possible."<sup>20</sup>

Congress also articulated the important government interest in facilitating a conversion to

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<sup>16</sup> *See Turner II*, at 1186.

<sup>17</sup> *Id.*

<sup>18</sup> *Fifth Report and Order* at ¶5.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

DTV. As far back as 1988 Congress stated that "there is a consensus in Congress that our broadcast television system should be kept viable by permitting, even encouraging, TV stations to use HDTV so they will remain competitive with cable and other media."<sup>21</sup>

The justification for promoting DTV through mandatory signal carriage is even more compelling today than it was for the carriage of analog signals in 1992 given that cable penetration has risen since 1992.<sup>22</sup> And much to the frustration of the FCC, Congress and the American people, competition to cable from alternative multichannel video programming distributors remains at a disappointingly low level.<sup>23</sup> With a near 70% cable penetration rate and the lack of a viable solution either through an A/B switch or retransmission agreements, digital must carry is the only way to further the important government interests of preserving free over-the-air television, promoting widespread dissemination of information from a variety of sources, and advancing competition in the television programming market.

The *Turner II* decision thus bears out that a reasonable DTV transition signal carriage requirement will withstand constitutional scrutiny to the extent such a carriage requirement does not overly burden cable operators' constitutionally protected speech. The DTV must carry provisions along with a small cable system exemption and waiver provisions as outlined below, will not place an undue burden on cable operators.

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<sup>21</sup> 134 Cong. Rec. E3387-01 (1988).

<sup>22</sup> Whereas in 1992 the Commission found a cable penetration level of 55.2 million television households, cable penetration reached 64.2 million homes as of June 1997. *Fourth Annual Report*, Appendix B.

<sup>23</sup> Cable accounts for over 87% of the total 73.6 million households that subscribed to multichannel video programming services as of June 1997. *See Fourth Annual Report* at ¶2.

The cable industry over the last five years has been undergoing unprecedented growth and is rapidly implementing its own digital conversion and plans for bringing broadband services into the home.<sup>24</sup> With many MSOs upgrading to 750 MHz digital systems, they will have the capacity to deliver 125 uncompressed video channels to their subscribers. Moreover, as discussed below, a 6 MHz digital cable channel is capable of delivering approximately twice the useful data throughput as an over-the-air signal broadcast channel thus enabling the cable channel to carry up to eight standard definition broadcast ("SDTV") channels or two HDTV channels.<sup>25</sup> Thus, a mandatory signal carriage requirement on digital cable systems is proportionally far less burdensome than the current must carry requirement is for analog systems.

Further, the requirement that cable operators carry both the analog and digital signals is only temporary and will terminate when broadcasters surrender their analog spectrum at the end of the DTV transition. Also, unlike in 1993, when a large number of local broadcasters simultaneously sought to enforce their newly-gained must carry rights, the demand for DTV carriage will be staggered depending on the different implementation schedules applicable to the stations requesting carriage.

Therefore, requiring cable operators to carry both the analog and digital signals of local broadcasters on a temporary basis, along with a small cable exemption and waiver provisions as outlined below, would advance the government's important interests and be no more burdensome

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<sup>24</sup> See *Fourth Annual Report* at ¶¶21-31. Price Colman, *Cable 1998: Stand and Deliver*, Broadcast and Cable, December 8, 1997, p.42.

<sup>25</sup> See *Fourth Notice of Proposed Rulemaking* in MM Docket No. 87-268, 11 FCC Rcd. 17771, Comments of Association for Maximum Service Television, Inc.

on cable operators than necessary in furthering those interests.

### **III. Proposed DTV Must Carry Rules**

The Commission should require that DTV signals be carried during the transition in addition to the current carriage requirement applicable to analog signals. As the Commission points out, this approach would provide regulatory certainty to broadcasters who would be assured of reaching the audience they are licensed to serve.<sup>26</sup>

#### **A. Method of Carriage/Non Degradation**

As stated above, because cable operators compete with local broadcasters for the same advertising revenue, they are likely to make anti-competitive choices as to how, if at all, they will deliver broadcasters' DTV signals to the home. Adoption of strict non-degradation provisions is particularly crucial in the DTV context since the superior technical and visual quality of digital television will be the primary motivation for consumers to purchase DTV sets which will in turn drive the DTV conversion. In addition to not wanting to promote a competitor's superior signal, cable operators have an added incentive to downgrade broadcasters' DTV transmissions, for example, by down-converting an HDTV signal to a standard definition picture, because in so doing they are able to increase capacity on their systems. Thus, in establishing digital must carry rules, the FCC should ensure that cable operators not limit consumer choice by altering the transmission sent by the broadcaster. Congress and the FCC made the right call in granting

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<sup>26</sup> *NPRM* at ¶41.

broadcasters the flexibility to deliver digital signals either in the form of HDTV or multiple streams of standard digital television. Ultimately, it should be the consumer who decides what the best use of the digital spectrum should be -- *not* the cable operator gatekeepers.

To this end, the Commission should adopt an unambiguous non-degradation principle that prohibits cable operators from passing through their systems anything less than the full 19.28 megabits per second (Mbps) bitstream of "effective useful payload" sent by broadcasters over the DTV channel.<sup>27</sup> While the Commission should permit cable operators to remodulate the DTV signal from the 8 VSB broadcast standard to the quadrature amplitude modulation ("QAM") standard adopted by the cable industry, cable operators must be prohibited from altering a broadcaster's picture format in any manner that would result in the delivery of anything less than the full 19.28 Mbps bitstream. Similarly, if the cable operator provides digital set-top boxes to its subscribers, such boxes should be able to process and display the signal in the original format as sent by the local broadcasters without any material degradation.

## **B. One-Third Capacity Limit Should be Maintained**

As the Commission proposes in the *NPRM*, the one-third capacity limit set forth in Section 614(b)(1)(B) of the Cable Act should apply to both the analog and digital signals.<sup>28</sup> However, the increased capacity inherent in digital cable systems must be considered in determining capacity.

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<sup>27</sup> In other words, the cable operator would not be required to carry the extensive error correction data inherent in the broadcast 8 VSB standard, but would have to carry all of the data associated with the picture and related material.

<sup>28</sup> *NPRM* at ¶51.

As discussed above, the DTV standard allows a digital cable system to carry eight SDTV or two HDTV signals within a single 6 MHz cable channel. Accordingly, in response to the Commission's inquiry regarding how to determine the capacity of digital cable systems, in contrast to analog systems where each programming service counts as one channel, in the digital context capacity should be determined based on data throughput, i.e. bits per second of useful digital data.<sup>29</sup>

### **C. Waiver Provisions**

While the cable industry by virtue of its monopoly status should be called upon to help facilitate the DTV transition, the DTV signal carriage rules ultimately adopted should not adversely effect cable subscribers who choose to wait until the end of the DTV transition to purchase DTV compatible equipment. Accordingly, the Commission should adopt the following digital must carry waiver provisions for channel-locked, non-upgraded cable systems.

#### **(i) Channel-Locked Cable Systems of Less Than 450 MHz.**

Analog cable systems and digital systems of less than 450 MHz with vacant activated channels should be required to carry local DTV signals up to one-third of the system's capacity. On the other hand, if a system in either of these categories is channel-locked the operator should not be required to drop an existing cable channel to accommodate a local DTV signal. However, a local broadcaster whose analog channel is currently carried on such a system either pursuant to

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<sup>29</sup> *NPRM* at ¶60.



retransmission consent or must carry should be entitled to request carriage for its DTV channel as a replacement for its analog channel even in the midst of an election period. If such a cable system is upgraded to 750 MHz, full must carry obligations would apply as discussed below.

**(ii) Digital Cable Systems With Capacity of 450-749 MHz.**

Regarding digital cable systems or hybrid digital/analog systems operating with a capacity of between 450-749 MHz, must carry obligations should apply, up to one-third of the system's capacity. However, if such a system claims to be channel-locked, the system operator could apply to the FCC for a waiver. In applying for a waiver, the operator would have to show that it is currently channel-locked and that the use of digital signal compression technology would not be feasible to accommodate the DTV signal.<sup>30</sup>

**(iii) Cable Systems of 750 MHz or Greater**

A 750 MHz digital cable system is by most definitions considered a fully upgraded cable system and is capable of carrying 120 - 6 MHz channels. Accordingly, full DTV must carry obligations should apply to these systems, but up to the one-third capacity limit.<sup>31</sup>

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<sup>30</sup> While compressing the broadcaster's digital signal could result in material degradation to that signal, the broadcaster should be permitted to waive its non-degradation protections if a cable system is channel locked in order to have its DTV signal carried.

<sup>31</sup> *NPRM* at ¶44.

#### **D. Compatibility**

In order for consumers to be willing to invest in costly DTV sets, they must be assured that those sets will be capable of properly receiving digital signals. The existence of incompatible technical standards would stifle the DTV roll-out by introducing unnecessary consumer confusion. The FCC must ensure that the consumer electronics and cable industries set minimum compatibility standards in order that DTV sets will have the proper ports to connect to cable systems and cable set top boxes. Moreover, all set top boxes supplied by cable operators must be capable of processing the signals sent by broadcasters whether in the form of HDTV or multiple video streams.

#### **E. All Free Programming Should Be Carried**

Section 614(b)(3)(A) of the Act requires cable operators to carry the "primary video" of each of the local commercial television stations carried on the cable system.<sup>32</sup> The Commission seeks comment on how the term "primary video" contained in Section 614(b)(3)(A) of the Act should be defined.<sup>33</sup>

With the flexibility inherent in the DTV standard the possibilities of digital television are enormous. Attaching an overly narrow definition to "primary video" could have the unintended effect of limiting the possible service offerings of digital broadcasters based on carriage considerations. Accordingly, the Commission should define "primary video" broadly as any non-

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<sup>32</sup> 47 U.S.C. §534(b)(3)(A).

<sup>33</sup> *NPRM* at ¶71.

subscription service offering, whether in the form of HDTV or multiplexed programming streams. Under this definition, free information services provided by a broadcaster such as local weather, road conditions, school closings or a newspaper service would have to be carried on the cable system. Any subscription-based service would have to be coded by the broadcaster in order to allow the cable operator to block the delivery of that service.

#### **F. Timing**

Carriage of DTV signals should be governed by the Commission's current rules for new local TV stations.<sup>34</sup> Accordingly, consistent with those rules, a television station that plans to begin broadcasting in digital may request carriage between 60 days prior to commencing DTV service and 30 days after, with the election taking effect within 90 days of the election.<sup>35</sup>

#### **G. Channel Placement/Positioning**

DTV signals must be placed in the cable system's basic tier in order to ensure that all cable subscribers receive DTV signals. Moreover, those cable subscribers who already made significant investments in new DTV sets should not be subject to higher monthly cable bills in order to receive the benefits of digital television.

On a related issue, the Commission should adopt channel positioning rules in order to eliminate viewer confusion in locating DTV channels. With the proliferation of cable channels,

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<sup>34</sup> See *NPRM* at ¶36.

<sup>35</sup> See 47 CFR 76.64(f)(4).

the retention of channel identity is critical to a successful DTV transition. Accordingly, cable operators should be required to utilize an appropriate channel mapping protocol that pairs a station's DTV channel with its existing analog channel. For example, if a local broadcaster operates on channel 4, its HDTV channel should be Channel 4A on the cable system with multicasted channels occupying e.g., 4B, 4C, 4D etc. These tiering and channel positioning rules could of course be modified by agreement between the individual broadcaster and cable operator.

#### **H. Separate Must Carry/Retransmission Consent**

A separate and independent retransmission consent/must carry election should apply to the digital and analog signals.<sup>36</sup> In contrast to analog television where due to the popularity of television programming broadcasters are often able to rely on retransmission consents to have their channels carried on cable systems, it will take some time until broadcasters achieve this degree of bargaining power with regard to their DTV signals. The fact that a broadcaster chooses retransmission consent for its analog signal should not defeat the public interest benefits of affording signal carriage rights to its DTV channel.

However, in fairness to cable operators, in the event a broadcaster elects a multicasting format for its DTV signal, the retransmission/must carry election should apply to the entire digital signal rather than allowing a broadcaster to choose separately for each programming stream. A separate election process for each programming stream would create an administrative burden for cable operators, particularly since the current standard allows for a broadcaster to switch back and

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<sup>36</sup> *NPRM* at ¶34.

forth between a multicasting format and HDTV.

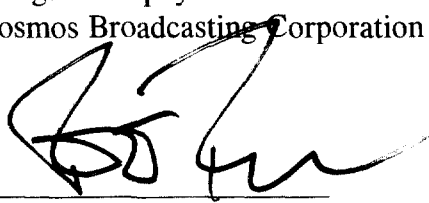
#### **IV. Conclusion**

Congress, the Commission and broadcasters have long recognized that the broadcast industry must make the switch to digital technology in order to remain competitive and continue to provide the American people with quality, free over-the-air television programming. The inherent potential of digital television, and the superb quality of HDTV, will give the American people the best free television service in the world. However, the success of digital broadcast television will depend on how quickly the transition is completed. Therefore, Morgan Murphy Stations and Cosmos Broadcasting Corporation respectfully ask the Commission to adopt the digital must carry rules as outlined above in order to ensure a successful and speedy transition to benefit the public.

Respectfully submitted,

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